

**IN THE DRAWINGS**

A complete set of formal drawings is provided herewith, including a corrected FIG. 6 (labeled as a REPLACEMENT SHEET) in which a typographical error in 602 has been corrected.

### REMARKS

This responds to the Office Action mailed on January 4, 2005.

Claims 1, 7, 10, 13 and 24-27 are amended, claim 23 is canceled, no claims are added; as a result, claims 1-22 and 24-43 are now pending in this application.

Claim 23 has been canceled solely to advance the prosecution of the present application, and without prejudice to its further prosecution in an appropriately filed continuing or divisional application.

The specification was reviewed as requested on Page 2 of the Office Action and has been amended to correct typographical errors. No new matter has been added as a result.

The amendments made herein have been to clarify the claims and include providing proper antecedent basis and removing dependency from a canceled claim. These amendments are not intended to limit the scope of equivalents to which any claim element may be entitled. The amendments to the claims have support throughout the specification. No new matter has been added as a result. Applicant respectfully requests reconsideration of the above-identified application in view of the amendments above and the remarks that follow.

### §102 Rejection of the Claims

#### Claims 1-12 and 27-43

Claims 1-6, 7-12, 27-40 and 41-43 were rejected under 35 USC § 102(e) as being anticipated by French et al. (U.S. 6,321,339).

The Applicant does not admit that French is prior art and reserves the right to swear behind this reference at a later date. Nevertheless, Applicant respectfully submits that the claims are distinguishable over French for the reasons argued below.

The Office Action asserts that French teaches various elements of the claims.

Applicant respectfully submits that the Examiner has not established a *prima facie* case of anticipation of the present claims. Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration.

French uses authentication from a credit bureau database for the purpose of issuing a digital certificate.

In contrast, claim 1 recites, in part, "relating a type of transaction with a relying party to a level of authentication, the relying party reliant on the authentication service to authenticate the user before user access is provided to its service, program or information." Specifically, the present invention is authenticating to relate a type of transaction to a relying party with a level of authentication, not for the purpose of issuing a digital certificate as in French.

Applicant further cannot find in French, "rendering results of the authentication to at least one relying party, the relying party reliant on the authentication service to authenticate the user before user access is provided to its goods or services, as recited in claim 7, as amended. Applicant further cannot find in French, "receiving requirements for an authentication level from at least one relying party, the relying party reliant on the authentication service to authenticate the at least one user before user access is provided to its service, program or information, as recited in claim 27, as amended. Applicant further cannot find in French the method of authentication as recited in claim 41.

French, therefore, does not appear to teach each element of claims 1, 7, 27 and 41.

French does not anticipate the claims, as amended. Applicant respectfully submits that claims 1, 7, 27 and 41 are allowable in their present form. As claims 2-6, 8-12, 28-40 and 42-43 depend from and further define these claims, these claims are also allowable. Notification to this effect is respectfully requested.

#### Claims 13-26

Claims 13-26 were rejected under 35 USC § 102(b) as being anticipated by Menezes et al. (Handbook of Applied Cryptography (1996)).

The Office Action asserts that Menezes teaches various elements of the claims.

Applicant respectfully submits that the Examiner has not established a *prima facie* case of anticipation of the present claims. Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration.

Menezes discusses public-key certificates, a vehicle by which public keys may be stored.

In contrast, claim 13, as amended, recites a method of registration, comprising authenticating a user having a user identity; determining a level of user identity confirmation for a registration; receiving a new authentication mechanism from the user; receiving new

authentication verification information; storing user identity information, the level of identity confirmation, and the new authentication verification information in a database; and sending the user identity information, the level of identity confirmation, and the new authentication verification information," as recited in claim 13, as amended.

Again, the present invention is not authenticating for the purpose of issuing a digital certificate. Additionally, Applicant cannot find, in Menezes, a method of registration as recited in claim 13, as amended.

Menezes does not anticipate the claims, as amended. Applicant respectfully submits that claim 13 is allowable in its present form. Since claims 14-26 depend from and further define claim 13, these claims are also believed to be allowable in their present form. Notification to this effect is respectfully requested.

Documents Cited But Not Relied Upon For This Office Action

Applicant need not respond to the assertion of pertinence stated for the references cited but not relied upon by the Office Action, because these references are not made part of the rejections in this Office Action. Applicant is expressly not admitting to this assertion and reserves the right to address the assertion should it form part of future rejections.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney, Barbara J. Clark at 515-233-3865 or the undersigned attorney at 612-349-9592 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

ERNIE F. BRICKELL ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
Attorneys for Intel Corporation  
P.O. Box 2938  
Minneapolis, Minnesota 55402  
(612) 349-9592

Date April 4, 2005

By Ann M. McCrackin  
Ann M. McCrackin  
Reg. No. 42,858

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 4th day of April 2005.

Dennis J. Kamph  
Name

[Signature]  
Signature